

Ronnie Lee Houston

Plaintiff's full name(s)

04012-063

Prisoner or registration number

P.O. Box - 12015

Street address or postal box number

Terre Haute, Indiana 47801

City, state and zip code

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
FILED
FEB 1 2006
CLERK
LAURA PRIGGS

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

Civil Action No. _____

(To be supplied by the Court)

Ronnie Lee Houston

Plaintiff(s)

Full name(s) (Do not use *et al.*)

v.

"1" MR. Rupaska, "2" MRS. Seanez,

"3" Doctor Webster, "4" DR. Wilson,

"5" D.A. - MR. Armstrong, "6" Warden Castillo,

"7" Warden Mark Rezey, "8" Captain Sciviorone (deputy Capt.)

"9" MR. Sussman, "10" MR. Stewart, "11" P.A. MRS. Jackson.

"12" Vic Killion Defendant(s).

(Enter above the full name of ALL defendants in this action.

Do not use "et al."

CIVIL RIGHTS COMPLAINT

RONNIE LEE HOUSTON
Reg. No. #04012-063
United States Penitentiary-(Terre Haute)
P.O. Box 12015
Terre Haute, IN 47801

Plaintiff in Pro Se

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF INDIANA

RONNIE LEE HOUSTON,
Plaintiff,
v.
* CIVIL RIGHTS ACTION PURSUANT TO BIVENS V. SIX
* UNKNOWN FEDERAL NARCOTICS AGENTS, 463 U.S.
* 388 (1971); 18 U.S.C. § 4042, FILED BY A
* FEDERAL PRISONER IN FEDERAL CUSTODY
*
* Respondent(s).
*
* Sued in their individual and official Capacities
*

DECLARATION OF RONNIE LEE HOUSTON

I, Ronnie Lee Houston, declares:

1). That I am the above named person and offers this declaration in support of my claims, that I have continuously been denied of adequate Medical care in violation of the Eighth Amendment to the United States Constitution.

2). That I am a federal Prisoner currently being held at the United States Penitentiary-(Terre Haute), P.O. Box 12015, Terre Haute, IN 47801., Serving a (10) Ten years sentence, with completion of at least forty percent of my time served.

3). That on December 01, 2005, at approximately 10:20 p.m., I was experiencing massive chest pains in the form of heart spasms or mild heart attack, which caused me to simultaneously experience also shortness of breath and loss of sensation on the left side of my body. Being in a state of fear and concerned for my life, I pushed the emergency-alarm button as it is required during an emergency situation. Which was of no avail to response.

4). That at approximately 10:40 pm, another inmate who was concerned for my life, assisted me by calling for officer ("Newlan"), who was assigned to the Special Housing Unit-(SHU), at the time. Momentarily, officer ("Newlan") came on the C-lower range-tier. I addressed my health concerns. Officer ("Newlan") never even returned to inform me of the medical staff's decision.

5). That at approximately 11:05 p.m., my condition remained unchanged. Therefore, me and several other inmate who were on this range, all summoned for the officer - assigned to the (SHU). This time officer (Doherty) who was accompanied by (Hackett), arrived on the C-lower range tier. Again I explained my health situation to them both as mentioned within (Paragraph 3 of this declaration). I was informed by officer ("Hackett"), that the nurse was made aware of my health problems... and that she alleged that she was currently in the process of dealing with another prison situation and did not have the time to come back to this prison to examine me. And stated further that I have recently been seen by three different ("Physician Assistant-(PA)) , on three different occasions. (All relating to my heart spasms).

6). That for the past four months, I have been experiencing the same problems with my heart which occurs off and on. My medical files, is documented proof that I have a history of having chronic chest pains. The medical staff here are completely aware of my heart problem, still it took them (3) three months just to make an appointment to see a prison doctor; who allegedly made an

appointment for me to be seen by a (Cardiologist-Specialist). It is now going on a period of five complete weeks and still I have not been seen. My heart spasm are coming more periodically and are getting even stronger each time it occur.

7). That I have also shared my health concerns with the (Prison Health Services Administrator), who seems to give me the run around. And made no attempts to assure that my medical concerns are address accordingly.

8). That I was mis-diagnosed with a (so-called "virus"), that I never had. And was provided with a medication called: ("Indomethacin") which may be fatal when consumed by a person who is known to have a history of heart problems. But the medical staff at this (USP- "Terre Haute") has displayed great lack of professionalism and concern for my heart problem. The medical staff here have made no attempts to investigate this medication and the side effects it may cause, which could be detrimental to my health.

9). That the "Sick-call" procedures or the procedures used for "Sick-call", is abject failure. Recently I coughed up 3 gobs of blood, which was witnessed by an officer assigned to the (SHU), whose name I am unfamiliar with at the moment. This same officer - escorted me to the prison infirmary. Again I was seen by another (P.A.), who - failed to take x-rays to see if the bleeding is coming from somewhere, such as my chest or stomach area. I even had some lab work done months ago, but was never told my blood results. I was forced to request for "Sick-call" simply to find out my blood test results.

10). That I declare the medical staff here at this USP- ("Terre Haute"), "Unconstitutional," every time we request for "Sick-call" we are charged even when we are not seen by a doctor. We are being over charged. If we are forced to pay for medical care, then we have a right to be seen

by "Only" a doctor, instead of forcing us to spend "our" money on ~~unwanted~~ ^{inaccurate} medical services that's being provided by the (PA's) here. And other factors such as:

11). That in addition to the above mentioned violation, there are several other inmates currently housed at this prison, who themselves have medical issues such as chronic care for inmates with epilepsy and other health problems, and the medical care here is so poor, for an example, my cellie since March of 2005, have not seen or heard from the doctor nor have his dilantin level have been monitor by the medical staff as it is required.

12). That another inmate caught an infection from dirty water viral/bacteria. Although he made several complaints to the medical staff concerning his condition. The medical staff here disregarded his health concerns, which resulted in his spine collapsing; causing him to become a (paraplegic). This is document proof that the medical care provided at this prison is so inadequate and ineffective do to the unexperience or inexperience medical staff-employees, that by the time we are actually seen by a prison doctor, ours' health conditions is at the state of fatal. We are continuously denied of access to a prison doctor or a doctor of our choice, when its ours' money that pays for this unwanted service. Therefore, it should be at ours' discretion "Only" to be seen by a doctor or PA.

13). That currently I am still suffering from massive chest pains, stress, anxieties, which caused me to now experience mental duress, especially after being held in the (SHU) for an extremely long period of time, without being afforded with a hearing prior to being sanctioned without notice. I was placed on a restriction and was given extra classification points for NO apparent reason of then to justify holding me at a USP. When prior to altering my classification points, I clearly qualified for a Federal Correctional Institution-(FCI). (OVER) Logos, false incident reports written by Mrs. Jackson.

For more explicit clarification see My Civil application attached hereto

I, Ronnie Lee Houston, swear under the penalty of perjury that the accusations alleged within this declaration are true and correct. Executed
12 day of December 2005, pursuant to 28 U.S.C. § 1746

DATED: 12 - 12 2005

Respectfully submitted,

Ronnie Houston

04012 - 063

Subscribed before me 12-12-05
J McCarthy J. McCarthy notary
State of Indiana Vigo County
Commission Expires 5-20-2009

All Respondants in this claim; and Respondants position to this claim.

(1) MR. Rupsko, Medical Administrator

(2) MRS. Seanez, Medical Administrator

(3) DR. Webster, doctor

(4) DR. Wilson, doctor

(5) P.A. - Armstrong, P.A.

(6) Warden Castillo, programs Administrator

Respondants to Medical Claims

(7) Warden Bezy, Head Warden

(8) Captain, MR. Scivorne

Respondants to Claim # 13

(9) MR. Sussman, Unit Manager

(10) MR. Stewart, Unit Counseler

(11) D.H.O, Officer Killion

(12) P.A. - MRS. Jackson

Mailing or Service Address for all Respondants is;

United States penitentiary

P.O. Box - 12015

Terre Haute, Indiana. 47801

Att/ Administration Building C.S.P.

at 4700 Bureau Rd. South
Terre Haute, IN. 47802

* Request for Relief *

(1) Civil Trial.

(2) Five Hundred Thousand dollars, for pain - suffering, and mental duress and anguish.

(3) Reform in Disciplinary procedures, Administrative Remedy procedures, and unit classification procedures, and the BOPCS disciplinary report - expunged from records.

I pray this Court for
Relief...

Connie L. Houston